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STATINTL

## CIA Dismissal Is Upheld by U. S. Appeals Court

CPYRGHT

Sweeping powers of the Central Intelligence Agency to fire its employees were upheld yesterday by the United States Court of Appeals.

The Court sustained the firing of John Torpats, 64, an intelligence officer and "contact specialist" who was dismissed in 1958 when he refused to resign.

Torpats, the first CIA employee ever to take a discharge case as far as a Federal court of appeals, held a GS-14 position before receiving an unsatisfactory fitness report, Court papers showed.

Torpats, of 5034 N. 36th st., Arlington, charged that a "conspiracy" among jealous superiors brought about his dis-

missal. According to his affidavit filed in District Court, his superiors found Torpats showed "poor judgment," "inability to handle agents" and general "lack of professional competence."

In a brief opinion, the Court cited the 1947 National Security Act giving the CIA Direc-

tor "broad discretion to terminate employees in the interest of the United States."

Such a discharge, the Court added, "is to be distinguished from the so-called 'security discharge' in which an employee may be branded a risk. "There is no bar of any kind to employment by other agencies of government" the Court added.